

**INTERPRETATIONS AND REGULATIONS**  
for the  
**ADMINISTRATION OF THE BEAUTY**  
**CULTURE LAW**

BEFORE READING ----  
REFER TO REVISION SHEET WITHIN

**LESTER K. ADE**

**Superintendent of Public Instruction**

*[with corrections]*



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**Commonwealth of Pennsylvania**  
**DEPARTMENT OF PUBLIC INSTRUCTION**  
**Bureau of Professional Licensing**  
**Harrisburg**  
**1938**

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CORRECTIONS AND AMENDMENTS TO "INTERPRETATIONS AND REGULATIONS FOR THE  
ADMINISTRATION OF THE BEAUTY CULTURE LAW" Edition 1938

Page 8, under "TEMPORARY PERMITS" omit first two sentences, and insert "Temporary Permits are issued to applicants who are eligible for admission to examination upon payment of the required fee."

Page 8, Section II, Lines 8 and 12 - Omit words "Consecutive" (in italics)

Page 8, Section II, Line 19 - For "Applicants for Managers' and Teachers' examination must have served eighteen months as a licensed operator" - read: "Applicants for managers' and teachers' examination must have served eighteen months as a licensed operator in Pennsylvania."

Page 9, line 3 - For "Completion as term of apprentices" - read: "completion of term as apprentices."

Page 9, - Omit 5th paragraph starting with "Licensed operators" and ending "The absence was caused"

Page 10, - Under Minimum Equipment for a shop - Omit "One Universal Chair" insert - "One Adjustable Chair".

Page 10, - Paragraph 1, Line 3 - For "licensed operator" read "licensed manager."

Page 10, - Paragraph 1, Line 6 - Omit the word "the" before "State".

Page 11, - Section V, Line 6, Omit "continuous" and insert "running."

Page 12, Line 21 - After "boiled in water" insert the words "for 20 minutes".

Page 14, Section VII under A after (e) Insert (f) Satisfactory evidence of proper provision for corps of teachers.

Page 15, Paragraph 1, Line 4 - After "space requirements" insert "and equipment requirements."

Page 16, Line 8 - Omit "before" preceding January 1, 1938: read "after January 1,

Page 18, Subdivision (d) line 1 - Before the word "Where" insert: 1938"  
"A combination day and night school (high) course" and begin "Where" with a small letter.

Paragraph 1 - Omit the last two sentences starting with "No combination" and ending with "twelve months"

Paragraph 3, line 3 - Omit "and combination day and night" - after "heretofore" add - "and combination students"

Paragraph 4, lines 6 and 7 - omit last sentence starting with "no day student" and ending with "hours per month"

Paragraph 5, lines 7 and 8 - Omit last sentence starting with "no night school" and ending with "per month".

Page 23, Section X, Line 3.

After "demonstrations are made in shops", insert the following:  
"before public gatherings."



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# INTERPRETATIONS and REGULATIONS of the DEPARTMENT OF PUBLIC INSTRUCTION for the ADMINISTRATION OF THE BEAUTY CULTURE LAW

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## 1. TYPES AND RANKS OF LICENSES

The licenses issued under the Beauty Culture Act shall be classified as follows:

- Class 1—Teacher's License
- Class 2—Manager's License
- Class 3—Operator's License
- Class 4—Manicurist's License

or unclassified, namely:

- Shop Owner's License
- License to Conduct a School

Any individual holding a Class One License shall, without further licensure, be deemed qualified to perform any of the functions of a teacher, operator or manicurist. Authority for such performance shall, however, be subject to all the terms and conditions hereinafter set forth.

Anyone holding a teacher's license may, without further examination, receive a manager's license by exchanging the teacher's license for it and paying the customary fee for a manager's license. When such exchange is made, the Department shall preserve the teacher license in its files subject to return to original owner at any time the manager elects to reverse the exchange.

In like manner, any individual holding a Class Two License shall, without further licensure, be deemed qualified to perform the duties of a shop manager, an operator or a manicurist.

Also, any holder of a Class Three License shall, without further licensure, be deemed qualified to perform any of the functions or render any of the services of a beauty culture operator, including manicuring.

A Class Four License limits the holder to the performance of Manicuring service only, which includes similar service to nails of the toes.

No license, temporary permit, or other authorization to teach, manage, operate or demonstrate in any of the branches of Beauty Culture shall be valid unless it bears the signature of the Director of the Bureau of Professional Licensing.

Every holder of a license issued by the Bureau shall display said license in a conspicuous place, in the place of business, or place of employment of said holder. No registered shop or school shall employ anyone not licensed by this Bureau, and no licensed operator shall work in an unlicensed shop, under penalty of revocation of license.



Owners and operators should immediately notify the Bureau as to a lost or misplaced license. An affidavit must be submitted to the Bureau to verify the loss of license.

All registrations and licenses expire on January 31 and may be renewed by application on proper form made prior to that date and payment of renewal fee.

### Temporary Permits

Temporary Permits are issued to operators and manicurists. Operators' Temporary Permits are issued to persons scheduled for teachers' and managers' examinations. Temporary teacher or manager permits are *not* issued. Upon the basis of these Permits, persons may practice until the results of the examination are determined. A second Temporary Permit may be issued to an applicant failing either the practical or theoretical portion of the examination. No second Temporary Permit shall be issued to an applicant who has failed both portions of the examination. No more than two Temporary Permits will be issued to any person.

## II. METHODS OF SECURING LICENSES

Licenses for any of the four types of beauty operation can be obtained in Pennsylvania by examination only.

Persons may qualify for an operators' examination in one of the following four ways:

Two years of practice between January 1, 1929 and January 1, 1934, or

A term of preparation in a *registered* day school of beauty culture covering 1,000 hours over a period of six *consecutive* months, or

A term of preparation in a *registered* night school of beauty culture covering 1,000 hours over a period of twelve *consecutive* months, or

Two years of apprenticeship in this State in a beauty shop where the owner of the shop holds a teacher's certificate and employs no less than four operators for each apprentice and no more than two apprentices, and provided such shop is not held out as a school of beauty culture.

Applicants for managers' and teachers' examination must have served eighteen months as a licensed operator or must have pursued 500 additional hours in schooling beyond those required for an operator's examination. A licensed operator who qualified for her operator's license by practice may not combine schooling with practice to qualify for the teacher's or manager's examination.

Examinations are held on the third Tuesday of January, April, July and October in the cities of Philadelphia, Pittsburgh, Wilkes-Barre, Harrisburg and Erie.

Applications for admission to any examination must be properly completed and on file in this Department on or before the



first day of the month in which such examination occurs. Proper completion of the application includes payment of fee; affidavit certifying completion of hours in schools; completion as term of apprentices and inclusion of the proper photographs, signed.

Students must have completed the stipulated amount of hours before the first of the month in which the examination is held in order to be eligible for examination in that month. Students completing the stipulated amount of hours on or after the first day of the month in which the examination is held will be scheduled for examination three (3) months hence, and upon the payment of the proper fee will be issued a Temporary Permit.

All applicants are expected to be present at the examinations for which they have been regularly scheduled. Unless absence from an examination has been arranged with the Department at least two (2) weeks prior to the examination, an additional fee and a new Temporary Permit are essential in order to be scheduled for the next examination. If absence from a second examination is caused by a serious illness or other emergency cause verified by an affidavit, the Department may extend the expiration date on the applicant's second Temporary Permit to cover the next examination.

All candidates for teacher, manager, operator and manicurist examinations must take all portions of their respective examination in order to qualify. Exceptions are made in the following case:

Men scheduled for operators' examination need not perform facials or manicuring. Women scheduled for operators' examination need not perform haircutting.

Licensed operators who are scheduled for teacher or manager examinations and are absent because of reasons deemed sufficient by the Department may be scheduled for the next teacher or manager examination without the payment of a new fee. Unlicensed persons who are scheduled for a teacher or manager examination and to whom an Operator's Temporary Permit has been issued must pay another fee and have a new Operator's Temporary Permit issued no matter by what condition the absence was caused.

On and after January 1, 1938, INTERPRETERS will not be provided for examinations.

### III. SHOP OWNERS

Although no qualifications applying specifically to Shop Owners are set up in the Beauty Culture Act, the Department of Public Instruction, by the authority vested in it, reserves the right to determine whether it is dealing with responsible individuals. As a basis of issuing or revoking Owners' Licenses, the responsibilities of a Shop Owner, shall, therefore, be interpreted as including:

- A. Satisfactory evidence that the applicant for this license has a proper moral and business status in the community.

- B. Proper location for the shop.
- C. Proper layout and equipment for the shop.
- D. Sanitary conditions in the shop and its surroundings.
- E. Provisions for adequate number of properly prepared and licensed workers.

**Minimum Equipment for a Shop Must Include:**

One Universal Chair	One Dry Sterilizer
One Hair Dryer	One Wet Sterilizer
One Dresserette with Mirror	One Finger Wave Lotion Dispenser
Appointment Desk and Book	One Absorbent Cotton Container
One Manicuring Table	One Towel Cabinet
Manicuring Tools	One Waste Container (covered)
One Permanent Wave System (Machine or Machineless)	One Covered Container for Hair Pins
One Marcel Heater	One Neck Strip Dispenser
One Shampoo Tray	One Hamper for Soiled Linens (covered)
Six Combs	
Six Brushes	

An owner properly licensed as an operator may manage his own shop if he operates therein, otherwise it is necessary to employ a licensed operator. He must, however, be able to prove that he is the real owner, possesses title to the shop and that its effects are in his name. Trade names, or fictitious names, must be registered with the Department of the State before a license will be issued.

Every shop shall at all times be in charge of and under the immediate supervision of a licensed member of the profession.

Every establishment shall display at its main entrance, a sign or other marking, clearly visible at all times the establishment is open, indicating that it is a beauty culture shop.

Every establishment must provide a suitable place, properly equipped to give adequate service to patrons, and subject to inspection at reasonable hours by the Bureau or its representatives.

When a beauty shop is conducted in a private home, the space set apart to be used as a beauty shop shall be used for no other purpose.

Since violation of these rules and regulations constitute a valid reason for possible revocation of license, all shops in which apprentices are prepared are responsible for instructing their students in the meaning and interpretation of the Beauty Culture Act as well as the rules and regulations drawn up by the Department for its enforcement.

#### IV. SHOP MANAGERS

The primary function of a shop manager shall be the administration of the business and personnel affairs of the shop and the maintenance of a proper relationship between the shop and the Department of Public Instruction. This will require the manager to give strict attention to enforcement within the

shop of all rules and regulations enacted into law or promulgated by the Department. In this connection, it shall be of primary importance for managers to give especial attention to all sanitary requirements, for the breach of which the manager, together with the violator, shall be personally liable if he fails to correct the conditions or to report the same to the Department after trying to accomplish a correction. For failure or negligence in these responsibilities, he may have his license suspended or revoked.

No manager of a shop shall be permitted to serve as a teacher in any school.

The responsibilities of a shop manager may, therefore, be summarized as follows:

- A. Responsibility for executing and administering the interests and responsibilities of the owner.
- B. Responsibility for obtaining and maintaining adequate number of properly licensed operators.
- C. Responsibility for ethical, legal, and professional conduct of the shop.

## V. SANITARY RULES AND REGULATIONS FOR THE CONDUCT OF A BEAUTY SHOP

Every establishment, together with all furniture, equipment, tools, utensils, floors, walls and ceilings shall, at all times, be kept in a clean and sanitary condition, well lighted and ventilated. Partitions of booths shall be of such height as to permit free circulation of air. Each shop must be provided with continuous hot and cold water and adequate plumbing fixtures and must be provided with adequate lavatories, readily accessible, and kept in a sanitary condition. Electrical appliances must be properly installed and grounded.

Anyone having an infectious or contagious disease shall not practice in any establishment. Shop owners will be held responsible for knowingly permitting one with such disease to practice in his or her shop or school. No work shall be performed on any patron having a visible disease, unless the patron shall produce a certificate from a practicing physician, stating that patron is free from infectious, contagious or communicable disease. A Beauty Culture License does not authorize an individual to treat or prescribe for any infectious or contagious disease of the skin.

No patron should be permitted to leave an establishment after receiving service unless her hair is reasonably dried. During a permanent wave operation, operator must not leave patron during the heating period. The use of cloth or paper bags on dryers is prohibited.

Persons practicing or teaching beauty culture must be attired in washable, coverall outer garments, which must be kept in a clean condition. Operators or manicurists must not carry combs or instruments in pockets. Every person engaged in a



beauty establishment shall thoroughly cleanse his or her hands with soap and water immediately before and after serving each patron. Clean towels shall be provided for wiping the operator's hands. Bowls, basins, shampoo boards, cups and other containers must be thoroughly cleaned with soap and water after using, rinsed, dried, and kept clean and free from dust. Head rest covers must be changed after each service.

Linens, towels and uniforms must be kept in a closed dust-proof container. Soiled linens must be kept in separate closed containers. Covered containers must be provided for waste tissues, cotton, lotions and creams. Combs and brushes must be thoroughly disinfected each time they are used. Use of a common powder puff, sponge, neck duster, styptic pencil, drinking cup or glass is prohibited. Any article or material which is used on more than one patron shall be kept from direct contact of the patron by the use of an individual paper neck band or clean towel. Use of the same neck band on more than one person is prohibited. A clean towel should be provided at the neck rest of each patron. Towels shall not be used for more than one operation. Towels not sent to a steam laundry should be boiled in water, dried and ironed. Laundry work in a shop is prohibited. Drying of towels on lines or radiators in shops is prohibited. Dipping used towels into a hot water receptacle and using same on patrons is prohibited.

Permanent wave pads, strips or flannels, must not be used more than once. Finger waving fluid must be used from a type container that will prevent contamination of the unused solution, and fluid used on one patron must not be used again. Styptics should be used only in liquid or powder form and applied by means of clean gauze or cotton. Creams and other semi-solid substances must be dipped from the container with a sterile article or spatula. Removing such substances with the fingers is prohibited. The article used for removal of such substances must not be permitted to come in contact with the skin of the patron. Any article dropped on the floor or otherwise rendered unsanitary shall not be used until it is sterilized.

A patch test should always be performed before using a hair dye. The test should be made on a skin area either behind the ear or on the forearm. If no swelling, itching, redness, or other reaction occurs after twenty-four hours, the operator may proceed with the dyeing process.

Manicurists must cleanse instruments with soap and water and immerse in seventy per cent alcohol for at least ten minutes, or for equally effective period of time in some other good sterilizing solution before using. The fluid should be kept in a covered container of such size as will accommodate the instruments. When not in use, dry instruments may be kept in a cabinet sterilizer. Manicurists must have always available grain alcohol, approximately seventy per cent (or some other equally effective antiseptic) to be used if the skin of a patron be broken during the manicure.

All methods of sterilization that are bacteriologically effective will be permitted and may be accomplished by use of one of the following approved solutions and methods:

- (a) Immersion in a closed container of ten per cent formalin for twenty to thirty minutes.  
A ten per cent formalin solution may be prepared by adding one part commercial formalin to nine parts water, representing a four per cent solution of formaldehyde.  
(This solution is especially good for combs, brushes, etc., but is slightly irritating to some skins. Articles so sterilized should be thoroughly rinsed in running water before use.)
- (b) Immersion in alcohol—about seventy per cent—for fifteen to twenty minutes. (Alcohol is especially useful in sterilization of glass or metal articles (not boilable) and for instruments used in manicuring.)
- (c) Immersion in OTHER SOLUTIONS, such as five per cent carbolic acid (phenol) for fifteen to twenty minutes, or in a solution of bichloride of mercury 1:1,000 for fifteen to twenty minutes.

For convenience, druggists supply tablets of seven and one-half grains each. One tablet in one pint of water makes a 1:1,000 solution. (Mercurial solutions corrode metals, are poisonous, and should be kept away from children.)

Every shop shall have at least one air tight cabinet sterilizer, which must at all times contain a dish filled with forty per cent commercial formalin or other germicide. This type of sterilization requires about three hours, and is recommended for storage of instruments, combs, etc., previously sterilized by one of the above described methods. Nail buffers may be kept in this sterilizer. To prevent rusting, dry instruments before placing in sterilizer.

**No Space Where Beauty Culture is Practiced or Taught Shall be Used for Domestic or Residential Purposes.**

NOTE: Practically the same rules and regulations covering sanitation in Beauty Shops apply to Beauty Schools.

**VI. SERVICE BY APPOINTMENT**

After January 1, 1937, operators now or heretofore operating from house to house and all others contemplating operating outside a licensed shop shall comply with the following requirements:

- A. They shall prove to the Department that they are duly sponsored by a licensed shop in good standing and under competent management.
- B. The owner of the sponsoring shop shall fully supply and equip the operator who renders service outside the shop, or shall vouch for the adequacy of the supplies and equipment owned by the said operator.
- C. All appointments in homes and other places where beauty culture service is rendered outside the shop shall be booked and recorded by the shop the operator represents.
- D. The number of operators-by-appointment that any shop may sponsor shall be limited to a number not in excess of the number remaining in service in the shop. In other words, the total number of operators for any one shop (operators-in-shop plus operators-by-appointment) shall not be more than twice the number of booths in the shop.
- E. The manager of any shop sponsoring any operators-by-appointment shall, at all times, be prepared to make immediately available to investigators from the Department a complete schedule of appointments.
- F. The manager shall be held responsible for compliance with all sanitary regulations on the part of his operators-by-appointment.

## VII. SCHOOLS OF BEAUTY CULTURE

### A. REQUIREMENTS FOR LICENSURE

1. Preliminary Inspection. Before completing application for licensing, each proposed school shall be inspected by the Department for the purpose of determining:
  - (a) Suitability of proposed location.
  - (b) Suitability of proposed rooms, including plumbing, ventilation, lighting, and adequacy of floor space.
  - (c) Approval of proposed lay-out.
  - (d) Approval of proposed items of equipment.
  - (e) Satisfactory evidence of business and moral responsibility of applicant for school license, best proof of which will be adequate bonding.
2. Careful verification of claims and representations set forth in the application. The Department shall devise its own methods of making this verification.
3. Second Inspection. An inspection shall be made, after the equipment has been installed, before the school is permitted to begin operation.

### B. EQUIPMENT REQUIREMENTS

The minimum requirement for a school of beauty culture enrolling fifteen students or less shall consist of at least the following items of equipment:



- 1 Steamer (for scalp treatments)—or wall plates
- 2 Shampoo basins
- 2 Shampoo boards
- 10 Mirrors
- 15 Block heads
- 15 Curling heaters
- 1 Blackboard
- 1 Linen cabinet
- 2 Wet sterilizers
- 2 Dry Sterilizers
- 1 Permanent wave machine (combined spiral and croquinole or one of each type) having eighteen heaters of each type.
- 6 Sanitary receptacles
- 4 Facial chairs
- 1 Therapeutic lamp (installed in such manner as to permit free use of operator's hand)
- 1 Theory book for each student

Sufficient supplies such as wave set, shampoo cream, hair dye, etc., that are essential to instruction. Sufficient equipment to dry five heads at one time. Manicuring space for at least five students. Charts—on skin, bones, muscles, nerves and circulatory system.

The proper placement of this equipment will require at least 1000 square feet of floor space. In the event that the student body of any school becomes considerably enlarged, additional space requirements may be laid down by the Bureau.

### C. PERSONNEL REQUIREMENTS

1. **Owner.** No school shall be licensed until the Department has had ample opportunity to verify sworn statements as to the actual ownership. False statements submitted in this connection shall constitute sufficient grounds for cancellation of the school's license if detected after a license has been issued. The Department reserves the right to deny school licensure to any applicant who fails to present satisfactory evidence of business, professional, or personal integrity. No school license will hereafter be issued until the real owner files with the Department a statement definitely designating who is authorized to accept service of legal notices and to transact all business negotiations in behalf of the school, including answer to citations for hearings and compliance with rulings issued by the Department. This statement shall bear a facsimile signature of the individual so authorized. It is the policy of the Department of Public Instruction to require all parties to a partnership to subscribe to all affidavits.
2. **Supervisor.** Those owners who possess *proper* qualifications by preparation, experience and teacher license,

may supervise their own schools; otherwise, they shall employ and place in charge of the actual operation of the schools responsible individuals who possess the following qualifications:

- (a) A teacher's license
- (b) A verified record of two years of experience as a teacher or three years of a combination of experience in teaching and in the practice of a majority of branches of beauty culture in an established school or place of business. Any person qualifying on the basis of three years of a combination of teaching and practice must have no less than one year of experience as a teacher.

The school shall, at all times, be in charge of and under the immediate supervision of such supervisor.

- 3. **Staff Physician.** Each school shall have attached to its staff a regularly licensed physician for consultation purposes.
- 4. **Teachers.** Each school shall meet the following requirements pertaining to teachers;
  - (a) Each school shall employ as instructors only licensed teachers competent to impart instruction in the branches of beauty culture which they teach.
  - (b) No individual shall be counted as a regular, part-time or substitute teacher in any school unless his teacher's certificate is on display in the said school.
  - (c) Every school shall employ at least one full-time licensed teacher.
  - (d) Each class taught for credit shall consist of not more than twenty-five (25) students per teacher. The only exception to this rule which the Department will permit is the lecturing by the staff physician or some specialist and then only when at least one teacher is also present.
  - (e) No teacher in a school of beauty culture may devote any portion of her time to work in a beauty shop while the school is in session.
  - (f) No manager of a beauty shop may serve as a teacher in a school of beauty culture.
  - (g) Teachers, as well as students, must during school hours, be attired in washable, coverall outer garments, which must be kept in a clean condition. Teacher uniforms must be such as to distinguish teachers from students.

5. **Students**

- (a) *Enrolment.* Whenever a student enrolls in any School of Beauty Culture, the school shall, on the day of said enrolment, transmit to the Department an

application for a student permit, together with the required fee of \$1.00. No credit in hours shall be given a student for any period of time previous to the date of the postmark of the envelope in which the application is forwarded to the Department (except for entrance credits as defined hereafter). No student permit is required for students who do not need to earn credit hours in order to be eligible for the State examination.

- (b) *Entrance Credits and Transfer from Out-of-State Schools.* Whenever a student at the time of enrolling is entitled to credits previously earned, the school enrolling such student shall carefully evaluate these credits and submit to the Department two copies of the sworn certification of entrance credits. A mere statement that the applicant for a certificate of entrance credits has pursued work elsewhere than in the school requesting the Department's approval shall not be accepted as sufficient evidence. The statement must be accompanied by documentary evidence showing attendance at a given school, and, if possible the number of hours attended and subjects pursued.

If and when the Department approves the entrance credits so certified, one copy of the certificate shall be returned to the school. The school shall preserve this copy for the permanent files of the school.

No certificate of entrance credits will be approved for any student who has pursued work in a school of beauty culture in this State since January 1, 1934, unless the school was registered at the time the work was done.

No certificate will be approved for a student who has pursued her work outside the State unless the work has been pursued in a school approved by this Department, or has been evaluated in the manner provided under (e) of this section.

- (c) *Transfer Credits.* A certificate of transfer must be completed in all cases where a student wishes to leave a registered school of beauty culture and transfer to another registered school of beauty culture. The school in which the student has completed a portion of her course of training must furnish the Department with a sworn statement upon an official blank of "Certificate of Transfer", setting forth the subjects and the number of hours of credit given in each, and such certification must be approved by the Department before the student may be enrolled in another school of beauty culture. All Certificates of Transfer must be submitted to the Department in duplicate.



*Transfer of Classification.* In the event of a student transferring from one classification to another, such as day student to night student, the student immediately becomes subject to the hour and term requirements of his new classification. In addition, a regular "Certificate of Transfer" must be completed.

All students registering in beauty schools on or before January 1, 1938, must complete one thousand hours in accordance with the terms of the Law whether the student is registered in day, night or combination school.

- (d) *Combination day and night school course.* Where partial employment prevents students from functioning as either day school students or night school students, is permitted. Permission may be granted to attend both provided, however, that no student may earn more than seven hours per day—thirty-five hours per week when the school is operated five days a week. If the school is operated six days a week, the student may earn forty hours per week. No combination day and night school student shall earn more than one hundred (100) hours per month. In addition, any such combination students are subject to the minimum month requirements of the night student, namely, twelve months.

On the monthly report of student hours, combination day and night school students are to be indicated by the letter "C".

Day school students, night school students and combination day and night school students must complete one thousand (1000) hours. Night school and combination day and night students must spend a minimum of one year in the school in order to qualify for examination: day school students, as heretofore, must spend at least six (6) months in the school.

Day school students may earn no more than seven hours per day—thirty-five hours per week when the school is operated on a five day weekly schedule. If a school is operated on a six day schedule, day school students are permitted to earn forty hours per week. No day school student is permitted to earn more than one hundred-seventy hours per month.

Night school students are permitted to *earn* four hours per night—twenty hours per week when the school is operated five nights per week. If the school is not operated five nights per week, the student should be given credit at the rate of four hours per night if actually earned, for each night the student attended. No night school student can earn more than eighty-five hours per month.

- (e) *Equivalent Education.* Graduates of Pennsylvania Schools of Beauty Culture not now registered with the Department, if their graduation occurred on or before July 1, 1934 may have this work evaluated by a school now registered with the Department and may pursue such additional work in a registered school as may be necessary to meet the requirements for graduation. The registered school that evaluates such work must furnish the Department with a sworn statement upon an official blank of "Equivalent Education" setting forth the number of hours for which credit is given, and such certification must be approved by the Department before the student may be enrolled. Graduates of out-of-state schools not approved by the Department may follow the same procedure, regardless of the date they graduated from such schools.
- (f) *Attendance Reports.* Each school shall keep a daily record of the attendance of each student, and a record devoted to the different practices, and shall establish grades and hold examinations before issuing diplomas. The standard forms provided or approved by the Department shall be used in each school.

Not later than the fifth day of each month each school shall submit a report of the hours attended by each student upon the form provided by the Department for this purpose. A failure to comply with this requirement promptly may debar students from examination.

Time spent as an apprentice in a shop and as student in a school may not be combined to meet the one thousand hour requirement for graduation.

**6. Manicuring.** The number of hours required for a course in preparation for examination for manicurists shall be at least 125 hours covering a period of not less than one month. Licensed manicurists desiring to pursue additional hours to be eligible for operator's examinations may be credited with only 100 hours, which may be applied to the number of hours required for the operator's course.

**7. Compensation for Student Work.** Any direct or indirect charge for Beauty Culture Service in a School of Beauty Culture is definitely forbidden by Section 7 of the Act. "Indirect Charges" are defined by the Department as follows:

- a. Giving service free of charge on one or more of the steps involved in a beauty culture operation (such as hairdressing) and yet requiring a charge for any other step or portion of the service is an indirect charge. A permanent wave, for example, shall be considered as composed of the following

steps: Shampooing, blocking, winding the hair, steaming, rinsing, setting into a finger wave, necessary trimming and drying. If any one of the steps involved in this definition of a permanent wave is given free of charge, for clinical purpose, in a school of beauty culture, a shop operated by a school may not charge for any one of the remaining steps. Likewise, hair tinting shall be considered as consisting of shampooing, tinting, finger wave, and drying the hair; and no shop is permitted to charge for one of these services after giving one or more of the other services free in a school under the same management or ownership. All necessary supplies shall be furnished by the school, free of charge.

Each of the practices designated as INDIRECT is strictly prohibited. Violation of these regulations prohibiting compensation for student work, shall, at the discretion of the Department, be deemed sufficient reason for disqualifying the student from taking the State examination or for the Department's refusal to issue the usual temporary permit said pupil would otherwise be entitled to hold during the period after application for State examination and while awaiting announcement of the results of said examination. Such violations shall also be sufficient grounds for revocation or suspension of the school's license.

Each school shall display in a conspicuous place in and about the entrance to said school a sign in display lettering at least one inch in height as follows: "ALL WORK IN THIS SCHOOL DONE BY STUDENTS ONLY", and unless this sign also carries the words "NO CHARGES AND NO TIPS" other signs bearing these words shall be conspicuously posted.

#### D. GENERAL REGULATIONS PERTAINING TO SCHOOLS

1. **Advertising.** Each school shall advertise only under the designation of a school. A school and a shop shall not, in any form of advertising be so designated as to mislead the public in regard to prices or location.

Every establishment shall display at its main entrance a sign or other marking clearly visible at all times the establishment is open indicating that it is a Beauty School.

2. **Authorized Signature.** A registered School of Beauty Culture must supply this Department with a facsimile signature on white paper of the individual or individuals authorized by the owner of the said school to sign all official certificates of students for admission to examination. This signature should be filed immediately.

(See also Article VII, C,-1 of these regulations).



3. **Daily Schedules.** The blank provided by the Department for the monthly report of student hours designates the minimum number of hours which shall be devoted to each portion of the school's program of studies. In making out those reports no student shall be credited for a total of more than seven hours per day or forty hours per week. Schools open only five days per week shall not credit their pupils for more than thirty-five hours per week.

Each school is required to post schedules showing week by week the schedule of classes in theory and in practical work. For each of these class periods the teacher in charge shall keep an accurate daily record of attendance and progress of each pupil. This record should be just as complete and accurate as the record of any good secondary school teacher. In case of any dispute regarding attendance or work completed, this record should be more authentic than that of any time clock or other device by which the pupil keeps his own record.

No school will be regarded as having adequate records unless each and every teacher is keeping a careful record of enrolment, attendance and progress of each and every pupil reporting to each of her classes, both in theory and in practical work.

4. **Duty Work.** The Department holds that all hours credited to a student should be devoted to the study of beauty culture. Therefore, duty work should not exceed a period of more than twenty (20) minutes of the student's instruction time. Duty work shall consist only of the tidying and cleaning naturally performed by any operator about her own booth at the conclusion of any beauty process. It shall not include menial work of a nature ordinarily performed by a maid, porter or janitor.

5. **Curriculum.** Each school shall be required to have readily available at all times a complete file of all curriculum suggestions and requirements which have been issued by the Department until superseded by later issues. All curriculum requirements set up by the Department shall be strictly complied with until rescinded or revised.

It is expected that each school shall supplement and enrich the minimum requirements specified by the Department. Remember that one thousand hours is the *minimum*. Many schools will exceed the minimum.

6. **Safety Precautions.** Those in charge of the school should at all times be very vigilant to prevent accidents as well as infections. They should, therefore, observe with special diligence the following precautions:

- (a) All electrical appliances must be properly installed and grounded.
- (b) During permanent wave operation, the teacher should never leave the student and the patron during the

heating period. After the student has given her fifth permanent wave, however, she may be left alone, provided the teacher remains within calling distance.

- (c) Cloth or paper bags must never be used on dryers.
- (d) Adhere strictly, at all times, to rigid requirements for sanitation and sterilization.
- (e) Never treat or prescribe for any infectious or contagious disease of the skin.

7. **Supervision.** Every school shall at all times be in charge of and under the immediate supervision of a licensed member of the profession.

8. **Service and Inspection.** Every establishment must provide a suitable place properly equipped to give adequate service to patrons, and subject to inspection at reasonable hours by the Bureau or its representatives.

## VIII. PREPARATION BY APPRENTICESHIP METHOD

Section 10 of the Beauty Culture Act sets up the requirements which must be met in preparation for Beauty Culture by the apprenticeship method. In addition to the requirements enumerated in that Section of the law, any one who employs the apprenticeship method of preparing operators shall be responsible for teaching his students the *minimum content* of the curriculum set up by the Department for Schools of Beauty Culture,—both for the practical and for the theoretical work.

## IX. REGULATIONS OF A GENERAL NATURE

- A. Every place used or maintained for the practice or teaching of beauty culture for compensation, and every person practicing or teaching beauty culture, must obtain a certificate of registration, or license, from the Bureau of Professional Licensing. A separate license is required for each shop and school.
- B. Shop and school licenses are valid *only for the location named in the license*, and are *not transferable*. Owners must immediately notify the Bureau in writing, of the sale or transfer or change in ownership of a shop or school.
- C. Violations of these rules and regulations should be reported to the Bureau of Professional Licensing, Harrisburg, Pennsylvania. Complaints to the Bureau should bear the signature and address of the writer.
- D. A copy of the rules and regulations furnished by the Bureau should be kept in each establishment at all times. Each licensed operator shall have his or her copy of these rules and regulations available at all times at their place of employment.
- E. Failure to comply with the rules and regulations of the Bureau shall be cause for the suspension or revocation of license.

- F. Beauty bath and reducing treatments should not be included in the curriculum of Beauty Culture Schools and should not be given in beauty shops.
- G. The State Board of Medical Education and Licensure at its meeting held on December 2 and 3, 1937 passed the following resolution relative to the use of Beauty Blankets in Beauty Parlors:

“That it is the opinion of the Board that the general use of so-called Beauty Blankets, which is in effect a method of Diaphoresis, as used in Beauty Parlors, may be done legally only by a licensed physician or a licensed physiotherapist.”

- H. Since violation of these rules and regulations constitute a valid reason for possible revocation of license, all schools and all shops in which apprentices are prepared are responsible for instructing their students in the meaning and interpretation of the Beauty Culture Act as well as the rules and regulations drawn up by the Department.

## X. DEMONSTRATORS

Any individual engaged in giving demonstrations of any Beauty Culture Service shall be required to have an operator's license if the demonstrations are made in shops or to those who are already holders of Beauty Culture Licenses.

Any individual engaged in giving demonstrations of any Beauty Culture service in any of the schools of this State shall be required to have a *teacher's* license.

## XI. RENEWAL OF LICENSES

In accordance with the provision of Act No. 222, all Beauty Culture Licenses will expire hereafter on January 31 of each year.

## XII. THE BEAUTY CULTURE LAW

(Act of Pennsylvania Legislature 1933, May 3, P. L. 242, No. 86, as amended 1935, July 12, P. L. 677, No. 256) Complete with all amendments to date.

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### A. DEFINITIONS

The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this Section:

“Beauty Culture” includes any or all work done for compensation by any person, which work is generally and usually performed by so-called hairdressers, cosmetologists, cosmeticians, beauticians or beauty culturists, and however denominated in so-called hair-dressing and beauty shops ordinarily patronized by women, which work is for the embellishment, cleanliness and beautification of the woman's hair, such as arranging, dressing, curling, waving, perma-



ment waving, cleansing, cutting, singeing, bleaching, coloring, pressing, or similar work thereon and thereabout, and the removal of superfluous hair, and the massaging, cleansing, stimulating, manipulating, exercising, or similar work upon the scalp, face, arms, or hands, or the upper part of the body, by the use of mechanical or electrical apparatus or appliances or cosmetics, preparations, tonics, antiseptics, creams or lotions; or by any other means, and of manicuring the nails, which enumerated practices shall be inclusive of the term beauty culture but not in limitation thereof.

"Department" means the Department of Public Instruction of this Commonwealth. (1933, May 3, P. L. 242, No. 86, Sec. 1).

## B. PRACTICE OF BEAUTY CULTURE WITHOUT REGISTRATION PROHIBITED

It shall be unlawful for any person to practice or teach beauty culture, or manage a beauty shop, or to use or maintain any place for the practice or teaching of beauty culture, for compensation, unless he or she shall have first obtained from the Department a certificate of registration as provided in this Act. Nothing contained in this Act, however, shall apply to or affect any person who is now actually engaged in such occupation, except as hereinafter provided. (1933, May 3, P. L. 242, No. 86, Sec. 2)

## C. REQUIREMENTS TO PRACTICE

Before any person may practice or teach beauty culture or manage a beauty shop, such person shall file with the Department a written application for registration, accompanied by a health certificate issued by a registered licensed physician of Pennsylvania, under oath, on a form which shall be prescribed and supplied by such Department, and shall deposit with the Department the registration fee, and pass an examination as to fitness to practice or teach beauty culture, or manage a beauty shop, as hereinafter provided in this Act. (1933, May 3, P. L. 242, No. 86, Sec. 3)

## D. ELIGIBILITY REQUIREMENTS FOR EXAMINATION

No person shall be permitted by the Department to take an examination to receive a certificate as an operator unless such person shall be at least sixteen years of age and has been registered as a student and has had training, as hereinafter provided in this Act, in a beauty school duly registered by the Department, or unless such person shall have been registered and served as an apprentice at least two years as hereinafter provided in this Act: Provided, however, That the Department may permit a person to take an examination without the prior studentship or apprenticeship herein required if such person shall establish, to the satisfaction of the Department, that he or she has been an operator in the active practice of beauty culture for at least

twenty-four months within the five years next preceding the effective date of this act. No person shall be permitted to take an examination for a certificate to teach beauty culture or act as manager of a beauty shop unless such person shall be at least eighteen years of age, and has had at least eighteen months' experience as an operator in a beauty shop or has had training in a duly registered school of beauty culture of fifteen hundred hours inclusive of the studies necessary to become an operator. (1933, May 3, P. L. 242, No. 86, Sec. 4)

#### E. MANICURING

A limited certificate of registration to manicure the nails only may be applied for and granted under all of the terms and conditions of this Act, except that the examination therefor may be limited to such practice only and the required schooling shall be not less than one month. (1933, May 3, P. L. 242, No. 86, Sec. 5.)

#### F. REQUIREMENTS OF A SCHOOL OF BEAUTY CULTURE

No school of beauty culture shall be granted a certificate of registration unless it shall attach to its staff, as a consultant, a person licensed by this Commonwealth to practice medicine, and employ and maintain a sufficient number of competent teachers, registered as such, and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum, shall keep a daily record of the attendance of each student, shall maintain regular class and instruction hours, shall establish grades and hold examinations before issuance of diplomas, and shall require a day school term of training of not less than one thousand hours within a period of not less than six consecutive months or a night school term of training for a period of not less than twelve consecutive months for a complete course, comprising all or a majority of the practices of cosmetology, as provided by this Act, and to include practical demonstrations and theoretical studies, and study in sanitation, sterilization, and the use of antiseptics, cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to beauty culture or any practice thereof. In no case shall there be less than one teacher to each twenty-five pupils. (1933, May 3, P. L. 242, No. 86, Sec. 6.)

Note:—Act of July 1, 1937, P. L. 2560, makes it necessary after July 1, 1938, to obtain from public school officials permission for pupils under seventeen years of age to be exempt from attendance at regular public or parochial schools. This age rises to eighteen after July 1, 1939.

#### G. STUDENT PRACTICE UPON THE PUBLIC FOR PAY PROHIBITED

It shall be unlawful for any school of beauty culture to permit its students to practice beauty culture upon the pub-

lic under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after having first been properly informed that the operator is a student. No school of beauty culture shall, directly or indirectly, charge any money whatsoever for treatment by its students or for materials used in such treatment. (1933, May 3, P. L. 242, No. 86, Sec. 7.)

#### H. PRACTICE IN BEAUTY SHOPS ONLY

It shall be unlawful for any person to practice beauty culture for pay in any place other than a registered beauty shop: Provided, That a registered operator may furnish beauty culture treatments to persons in residences of such persons by appointment. (1933, May 3, P. L. 242, No. 86, Sec. 8.)

#### I. EXCEPTIONS TO EXAMINATION REQUIREMENTS; PRESENT STUDENT AND APPRENTICES

Any person who has practiced or taught beauty culture or acted as manager of a beauty shop or school of beauty culture, under a certificate, license or permit, for not less than two years in another state, territory, or District of Columbia, or any person who has done so in this Commonwealth for at least six months next preceding the effective date of this Act and is thus engaged in this Commonwealth at the time this Act goes into effect, may secure the certificate of registration required by this Act without an examination or compliance with other requirements as to age or education, provided such person shall make application to the Department for registration within ninety days after the effective date of this Act. Such application shall be accompanied by an affidavit of a practicing physician that the applicant was examined and is free from all contagious and infectious diseases, and the registration fee required by this Act. Any person studying beauty culture in a school of beauty culture or as an apprentice in a beauty shop in this Commonwealth at the time this Act goes into effect shall receive credit for such time and studies without complying with the requirements of this Act as to age and preliminary education, provided such person shall make application to the Department for registration as a student or apprentice within three months after this Act goes into effect. Students upon graduating from registered schools of beauty culture, may apply for, and receive from the Department, a temporary permit to practice as an operator until the next regular examination held by the Department under the provisions of this Act, (1933, May 3, P. L. 242, No. 86, Sec. 9.)

#### J. APPRENTICES IN BEAUTY SHOPS

Any cosmetologist, hairdresser, or cosmetician, who is a beauty shop owner, and who is a holder of a teacher's certificate, may instruct apprentices, provided that there shall



be no less than four licensed operators for each apprentice in any shop, and provided such shop is not held out as a school of beauty culture. Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the Department, and, if successful therein, shall be registered as operators. Registered apprentices, upon completion of their required term of apprenticeship, may apply for, and receive from the Department, a temporary permit to practice as an operator until the next regular examination. (1933, May 3 P. L. 242, No. 86, Sec. 10.)

#### K. RULES BY DEPARTMENT

The Department shall prescribe reasonable rules for its conduct, and for the qualifications, registration and examination of applicants to practice or teach beauty culture, and for the registration of apprentices, teachers, students, and managers of beauty shops or schools of beauty culture, and for temporary licenses to be issued at the discretion of the Department, and generally for the conduct of persons, co-partnerships, associations or corporations affected by this Act. Rules established by the Department shall be printed and supplied to applicants and license holders. (1933, May 3, P. L. 242, No. 86, Sec. 11.)

#### L. EXAMINATIONS

If the Department finds that the applicant has submitted the credentials required by this Act for admission to examination, and has paid the registration fee required by this Act, the Department shall admit such applicant to examination and shall issue a certificate of registration to practice as operator, manager, or teacher as the case may be to those successfully passing the required examinations. Every certificate of registration issued by the Department shall have attached securely thereto a photograph of the person to whom the same is issued, and where a certificate is issued in the name of a corporation it shall have attached thereto the photograph of the manager thereof. Such photographs shall be furnished by the applicant for registration and shall be of such size as the Department may require. The Department shall hold public examinations on the third Tuesday in January, April, July and October in the cities of Philadelphia, Pittsburgh, Wilkes-Barre, Harrisburg, and Erie at such hours as the Department shall prescribe. The examination for teachers' and managers' licenses shall differ from the examination for operators' licenses in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of beauty culture, including ability to teach properly the various practices and theories of beauty culture. (1933, May 3, P. L. 242, No. 86, Sec. 12; as amended 1935, July 12, P. L. 677 No. 256, Sec. 1.)

## M. POWERS AND DUTIES OF DEPARTMENT

The Department shall have the power to refuse, revoke, or suspend licenses or certificates, upon due hearing, on proof of violation of any provisions of this Act, or the rules and regulations established by the Department under this Act, of for gross incompetency or dishonest or unethical practices, or for performing beauty culture work on Sunday, and shall have the power to require the attendance of witnesses and the production of such books, records and papers as it may desire. Before any certificate shall be suspended or revoked for any of the reasons contained in this Section, the holder thereof shall have notice in writing of the charge or charges against him or her and shall, at a day specified in said notice, which shall be at least five days after the service thereof, be given a public hearing before a duly authorized representative of the Department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her. Any person whose certificate of registration has been so suspended or revoked may, after the expiration of ninety days, on application to the Department have the same reissued to him or her, upon satisfactory proof that the disqualification has ceased. Before the Department may institute any of the above proceedings, it shall send a notice in writing to the certificate holder of any alleged violation of this Act or rules thereunder together with a notice that if the violation is not abated within fifteen days the proceedings above outlined will be initiated. (1933, May 3, P. L. 242, No. 86, Sec. 13, as amended, 1935, July 12, P. L. 677, No. 256, Sec. 1.)

## N. SANITARY RULES

The Department shall prescribe such sanitary rules as it may deem necessary, with particular reference to the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases; and it shall be unlawful for the owner or manager of any beauty shop or school of beauty culture to permit any person to sleep in or use for residential purposes any room used wholly or in part as a beauty shop or school of beauty culture. (1933, May 3, P. L. 242, No. 86, Sec. 14.)

## O. APPEAL FROM ACTIONS OF DEPARTMENT

An appeal may be taken from any actions of the Department to the Court of Common Pleas of Dauphin County. The judgment of the Common Pleas Court may be reviewed by the Superior Court on appeal. (1933, May 3, P. L. 242, No. 86, Sec. 15.)

## P. FEES

The registration fee for the issuance of a license, with or without examination, shall be as follows: Five dollars (\$5.00) for beauty shop owners, managers, and teachers;

two dollars (\$2.00) for operators and manicurists; one dollar (\$1.00) for students or apprentices; and fifty dollars (\$50.00) for schools of beauty culture. Annual renewal fees shall be five dollars (\$5.00) for shop owners and managers and school instructors; two dollars (\$2.00) for operators and manicurists; and twenty-five dollars (\$25.00) for schools of beauty culture. The above fees for registration, examination and certificate shall be paid in advance to the Department, and by it paid into the State Treasury through the Department of Revenue. (1933, May 3, P. L. 242, No. 86, Sec. 16.)

#### Q. TO WHOM PROVISIONS IN THIS ACT SHALL NOT APPLY

Nothing in this Act shall prohibit service in case of emergency or domestic administration without compensation, nor service by persons authorized under the laws of this State to practice medicine, surgery, dentistry, chiropody, osteopathy, or chiropractic, nor services by barbers lawfully engaged in the performance of the usual and ordinary duties of their vocation. Nothing in this Act is intended to be inconsistent with the Act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, five hundred eighty-nine), entitled "An Act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops, barber schools, and barber colleges, and apprentices and students therein; conferring certain powers and duties on the Department of Public Instruction; and providing penalties."\* (1933, May 3, P. L. 242, No. 86, Sec. 17.)

#### R. DISPLAY OF CERTIFICATES

Every holder of a certificate granted by the said Department, as provided in this Act, shall display it in a conspicuous place in this or her principal office, place of business, or employment. (1933, May 3, P. L. 242, No. 86, Sec. 18.)

#### S. DURATION AND RENEWAL OF CERTIFICATES OF REGISTRATION

The certificates of registration issued in the year in which this Act goes into effect shall expire as of December thirty-first, one thousand nine hundred and thirty-four. Thereafter certificates shall be issued for no longer than one year. All certificates shall expire on the thirty-first day of December next succeeding unless renewed for the next year. Certificates may be renewed by application made prior to the thirty-first day of December of each year, and the payment of the renewal fees provided in this Act. (1933, May 3, P. L. 242, No. 86, Sec. 19.)

Note:—Annual expiration date changed to January 31 by authority granted by Act 222 approved May 25, 1937.



## T. PENALTIES

(a) Any person who shall practice or teach beauty culture, or act in any capacity wherein registration is required, without complying with this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine not exceeding one hundred dollars (100.00), or undergo an imprisonment not exceeding ninety (90) days, or both, at the discretion of the Court. Each and every day of violation shall be construed as a separate offense.

(b) Any operator, manager, teacher, student or apprentice who shall practice the occupation of beauty culture while knowingly suffering from contagious or infectious disease, or who shall knowingly serve any person afflicted with such disease, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one hundred dollars (\$100.00), or undergo an imprisonment not exceeding thirty (30) days, or both, at the discretion of the Court.

(c) Any operator, manager, teacher, student or apprentice who shall infect any person, or who shall impart any contagious or infectious disease, by reason of carelessness or negligence in the practice of such occupation, shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00), or to undergo an imprisonment not exceeding six months, or both, at the discretion of the Court.

(d) All fines and penalties shall be paid to the Department and by it paid into the State Treasury through the Department of Revenue. (1933, May 3, P. L. 242, No. 86, Sec. 20.)

## U. EFFECT OF PARTIAL INVALIDITY OF ACT

Each Section of this Act, and every part of each Section, is hereby declared to be independent of every other, and the holding of any Section, or part thereof, to be void or ineffective for any cause shall not be deemed to affect any other Section, or part thereof. (1933, May 3, P. L. 242, No. 86, Sec. 21.)

## V. EFFECTIVE DATE

This Act shall become effective on the first day of January, one thousand nine hundred and thirty-four. (1933, May 3, P. L. 242, No. 86, Sec. 22.)

## W. REPEAL

All acts or parts of acts inconsistent with this Act are hereby repealed. (1933, May 3, P. L. 242, No. 86, Sec. 23.)